

REMARKS/ARGUMENTS

This document supplements the previous response to the Office Action mailed on January 30, 2007. In that Office Action, claims 1-18 were examined, and all claims were rejected. More specifically, Claims 1-4, 6, 7, and 9-13, 15-16, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wheeldon et al. (USPN 4,670,007) in view of Hadzic et al. (USPN 5,910,135); and claims 5, 8, 14, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wheeldon in view of Hadzic, and further in view of general knowledge in the art. Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

Claims 1 and 10 are being amended. No new claims are being added, and no claims are being cancelled.

In Person Examiner's Interview

Mr. Thomas H. Young and Dr. William Cimino, Ph.D. thank Examiner Catherine Serke Williams for the in person interview conducted on August 21, 2007. A summary of the interview is being filed herewith as a separate document.

Claim Amendments

The claim amendments are being made as a result of the discussion with Examiner Williams. Below we have identified the portions in the specification that provide support for the claim amendments.

Support for the amendment “to a targeted anatomical site or an implantable device” can be found at least at page 4, lines 6-8; and page 5, lines 9-19.

Support for the amendment “100 ml to 5000 ml” can be found at least at page 3, lines 19-21; page 5, lines 12-15; and page 6, lines 11-12.

Support for the amendment “adjustable by a user” can be found at least at page 7, lines 8-20.

Support for the amendment “the processor not being deployed to adjust the rate of delivery of the fluid” can be found at least at page 4, lines 19-21; page 5, lines 24-26; and page 7, lines 18-20.

Support for the amendment “the signal not being used to adjust the rate of flow of the sterile fluid” can be found at least at page 4, lines 19-21; page 5, lines 24-26; and page 7, lines 18-20.

Conclusion

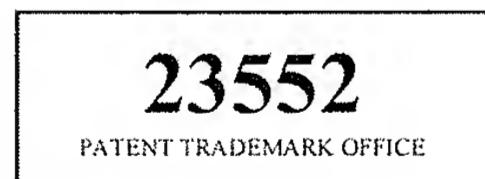
This document supplements the previous response to the Office Action mailed on January 30, 2007. Still, the Office Action may contain arguments and rejections that are not directly addressed by this document because they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this document to directly address an argument raised in the Office Action should not be taken as an indication that the Applicant believes the argument has merit. Additionally, failure to address statements/comments made in the Office Action does not mean that the Applicant acquiesces to such statements or comments. Furthermore, the claims of the present application may include other elements, not discussed in this document, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

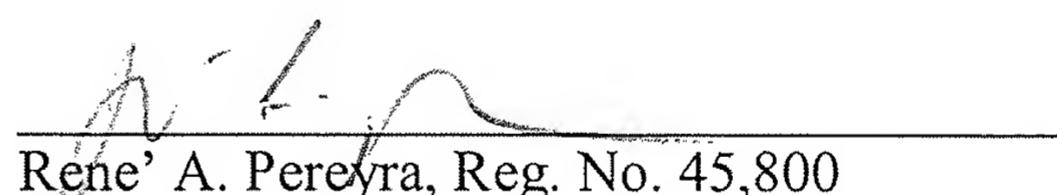
It is believed that no fees are due with the filing of this document. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks, it is believed that the application is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

Dated: September 7, 2007




Rene' A. Pereyra, Reg. No. 45,800
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
303.357.1637